

# INFORMATION

FOR

The LORD *BLANTYRE*, the TOWN of *PASLAY*, and other  
HERETORS within the PAROCH of *PASLAY*.

Against

The EARL of *DUNDONALD*.

**T**HE Teinds of the Paroch of *Paslay* having belonged to the Earl of *Abercorn*, Lord of the *Erection*, the Minister of that Parish obtained a *Decreet* before the *Commission*, in anno 1636, modifying 15 Chalders of Victual to be his constant modified Stipend, which was divided and allocat upon the Teinds payable to the Earl of *Abercorn*, and the Earl's Property was altogether free.

The Charge being great, Mr. *Alexander Dunlop* was called to be Second Minister; and the First Minister did allow six Chalders of Victual of his modified Stipend for Mr. *Dunlop*: But the 15 Chalders of Victual, which was a plentiful Stipend for one Minister, being too narrow a Provision for two, there was a *Decreet* of Augmentation obtained in anno 1650, adding two Chalders of Victual and 100 *lib.* to the Second Minister, which was thereby allocat and divided upon the several Heretors burdened therewith; and not one Sixpence, either of the first Modification or Augmentation, was laid upon the Earl of *Abercorn's* Lands; as will clearly appear by the saids two *Decreets*, and especially the last, which contains the Allocation both of the Stipend first modified, and of the Augmentation.

The Earl of *Dundonald* having purchast the Lordship of *Paslay* some Years after the said Augmentation, the Right to the Teinds made by the Earl of *Abercorn*, first to the Lord *Angus*, and conveyed to the Earl of *Dundonald*, was expressly burdened with the said Modification and Augmentation.

The two Ministers of *Paslay* enjoyed a Stipend of 17 Chalder of Victual and 100 *lib.* of Money, from the 1650, till the Establishment of *Episcopacy*: And thereafter one single *Episcopal* Minister coming in, he received and contented himself with a Stipend of 15 Chalder of Victual; whereby the Earl enjoyed 2 Chalder and 100 *lib.*

Two *Presbyterian* Ministers being indulged to the Paroch of *Paslay*, they were also necessitat to content themselves with 15 Chalder of Victual during their Incumbency.

The indulged Ministers being turned out in 1684, two *Episcopal* Ministers came in their place, who would not rest satisfied with the 15 Chalder of Victual: And the Earl of *Dundonald* finding, That the Augmentation which he had kept in his Pocket would then come upon him, the Ministers and Heretors were made believe, That the *Decreet* of Augmentation 1650 was *Reduced*, which was not so in fact: And there was a new *Decreet* of Augmentation pursued in 1686; libelling upon the first *Decreet* of Modification 1636, and upon the Augmentation in the Year 1650; and that the said Augmentation 1650 was *Reduced*, in respect that the same was wholly laid upon the Earl of *Abercorn's* Lands;

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and likeways upon an Agreement betwixt the Earl, my Lord *Ross*, and Others, for themselves, and in Name of the rest of the Heretors and the Ministers, whereby there was a Chalder of Victual agreed to be added to the last Augmentation, And in respect of the *Reduction* of the said last Locality in *anno* 1650, the saids Heretors are libelled to have obliged themselves to have procured a Locality for the said Victual and Money formerly allocat, and now to be added, and concluding, That there should be an Allocation; and accordingly there is an Augmentation decerned; as also an Allocation, by which the Earl put 3 Chalders of Victual fairly in his own Pocket, and lays the whole Burden of 3 Chalders of Victual, and 100 *lib.* of Augmentation, upon other Heretors, whereof some had bought the irredeemable Right of their Teinds from the Earl of *Abercorn*: And with the burden of which Dispositions of Teinds, the Earl of *Dundonald*'s Rights were acquired.

There is a *Reduction* of the said Decreet 1686, pursued by the Town of *Paslay* and other Heretors; and they do insist upon this Ground, That by the said Decreet 1686, the Earl of *Dundonald* did gain to himself 3 Chalder of Victual and laid the burthen upon the Heretors, upon pretence that the Decreet 1650 had been *Reduced*; whereas the said Decreet 1650 was never once quarrelled, but *via facti* the Earl got the Advantage and Retention of 3 Chalder of Victual, during all the time of *Episcopacy*, till 1686, and then got the burden laid upon the Heretors, on supposition that the former Modification had been *Reduced*. 2<sup>do</sup>. The Decreet 1686 libells, *That all the burden of the Augmentation 1650, was laid upon the Earl of Abercorn's Lands*: Whereas the Decreet produced in Process clears the contrair, That there was not one Shilling of Burden laid upon the Earl of *Abercorn*'s Lands; in so far as the Decreet not only bears the Lands that were burdened, but expresth the Heretors to whom they belonged, and the Earl of *Abercorn* was none of the Heretors burdened. 3<sup>tie</sup>. That Augmentation being before the Earl of *Abercorn*'s Sale of his Lands; and the Earl of *Abercorn* having afterwards sold his Lands with the burden of the Minister's Stipend and Augmentation, the Earl of *Dundonald* had no cause to quarrel. 4<sup>to</sup>. The Decreet 1686 doth wholly confound and invert the Locality of both former Decreets, which was necessary to cover the Advantage which the Earl got: For the said Decreet 1686 appoints 10 Chalder and 100 *lib.* to the First Minister, and 8 Chalder to the Second; and then it proceeds to allocat the 10 Chalder and 100 *lib.* to the First, and for the Second Minister it allocats 4 Chalder of Victual of the old Stipend conform to *use and wont*; and so proceeds to make up the 8 Chalder to the Second Minister.

By this Method of Allocation it would be thought, That the 10 Chalder of Victual and 100 *lib.* to the First Minister, and 4 Chalder to the Second was the old Stipend of 14 Chalder. And if the thing had been fairly done, it ought to have been done so; for otherways no Man living can make sense of these words, *Four Chalder of the old Stipend conform to use and wont*; Because *use and wont* is wholly inverted, the first Modification being 15 Chalder and no Money at all; And the Augmentation 1650 being Two Chalder and 100 *lib.* And the Allocation 1686, not proceeding conform to the first Modification 1636, but promiscuously upon the first Modification 1636 and the Augmentation 1650, which did extend in whole to 17 Chalder Victual and 100 *lib.* of Money: And the said last Decreet having allocat 10 Chalders of Victual and 100 *lib.* wherein is comprehended the whole Augmentation 1650 to the first Minister, it proceeds to al-

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locat four Chalder conform to *use and wont* to the Second, as if there had been no greater Fond over and above the Allocation to the first Minister then the said 4 Chalder; Whereas truly there was 7 Chalders, whereof the Earl reserved 3 Chalder to be put in his own Pocket. And then the last *Decreet* proceeds to make up the Second Ministers other 4 Chalders of Viſtial, which is 8 in all, and burdens the Heretors of the Paroch intirely with the said 4 Chalders of Viſtial; Whereas some of them had their Teinds bought, and ought to have been subjected to no greater Burden.

The Heretors do therefore insist, That the Modification and Allocation may be in the first place conform to the saids two *Decreets* in *Anno* 1636 and 1650 which will make the Ministers up 17 Chalder of Viſtial and 100 *lib.* of Money; and if the *Commission* think fit to add a Chalder of the Viſtial furthr to make up the full Stipend in the last Augmentation, the Heretors will not struggle with the Minister; Only they expect that no such Augmentation should take place, so long as the Cure is served by one Minister; and that the Allocation should be laid upon such Teinds, whereof the heretable Rights are not bought, and the bought Teinds ought to be free of all future Burdens, especially so long as there are other Teinds in the Paroch.

All that was urged in the last Debate was, upon a *Consent* of the Heretors to the last *Decreet*.

To which it is answered, *imo.* The *Decreet* doth indeed libel upon a *Consent*, but there is no such *Consent* produced: And if a *Consent* be produced it will be found to Contain an expresse quality, That all former Allocations shall take place: For the plain Truth is, The Heretors were willing the Ministers should be competently provided; and the Teinds and Charge being considerable, they did not grudge, That they should have 18 Chalder of Viſtial and 100 *lib.* of Money, which was an Augmentation beyond the former: But they never consented to the Allocation that was made, which did wholly confound both the former *Decreets*: Nor did they consent, that the Earl of *Dundonald* should thereby reserve three Chalders of Viſtial for his Family, of what had been most justly and regularly allocat to the Minister, by former *Decreets*. And therefore no respect to any pretended *Consents*, seing the Foundation, Ground and Occasion thereof, is not true in Fact, that the Augmentation 1650 was Reduced.



Information for

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and wife Executors of the  
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Rev. E. J. Dundonald

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